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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/645,450	08/25/2000	Takeki Aizono	ASA-912	4368
24956	7590	06/25/2004	EXAMINER	
MATTINGLY, STANGER & MALUR, P.C. 1800 DIAGONAL ROAD SUITE 370 ALEXANDRIA, VA 22314			WINDER, PATRICE L	
		ART UNIT		PAPER NUMBER
		2155		
DATE MAILED: 06/25/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/645,450	AIZONO ET AL.
	Examiner Patrice Winder	Art Unit 2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 06 April 2004.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-7,9-18 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-7,9-18 and 20 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by Koss, USPN 6,731,612 B1 (hereafter referred to as Koss).
3. Regarding claim 1, Koss taught a transport system having a plurality of processing units disposed by a roadside and interconnected through a network, said processing units each including a radio communication unit for communicating with a mobile body (column 3, lines 31-37, 42-44), wherein each of said plurality of processing units comprises:

means for directly receiving location information indicative of a location at which the mobile body exists by using the radio communication unit (column 3, lines 24-30, column 5, lines 4-6);

means for determining whether or not a processing for the mobile body is executed based on said location information (column 5, lines 26-29); and means for executing said processing based on the result of determination (column 5, lines 49-54).

4. Regarding dependent claim 2, Koss taught said means for directly receiving receives contents information indicative of the contents of a request for said processing by using the radio communication unit (column 3, lines 24-30, column 5, lines 44-48);

said means for determining determines whether or not processing corresponding to said contents information is executed based on said location information (column 5, lines 49-54).

5. Regarding dependent claim 3, Koss taught said existing location indicates a location at which said mobile body existed at the time said location information was transmitted (column 3, lines 24-26), the location information being directly received by said radio communication unit (column 3, lines 34-37).

6. Claims 7, 9, 11-12, 14-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Kari et al., USPN 6,154,745 (hereafter referred to as Kari).

7. Regarding claim 7, Kari taught an information processing method in a transport system having a plurality of processing units disposed by a roadside and interconnected through a network, said processing units each including a radio communication unit for communicating with a mobile body (column 5, lines 4-9), the method comprising the steps of:

 said mobile body transmitting request information to at least one of a plurality of processing units, said request information including contents information indicative of content of a request for a processing for the mobile body, and location information indicative of location at which said mobile body exists (column 6, lines 24-35);

 a processing unit, which has received said request information, transmitting said request information to said processing units through a network (column 8, lines 54-67); and

each of said processing units, which have received said request information, determining based on said location information whether or not said processing unit should execute processing corresponding to a request indicated by said contents information (column 13, lines 5-25).

8. Regarding dependent claim 9, Kari taught said mobile body periodically transmits confirmation information to at least one of said processing units capable of performing radio communication until said mobile body receives said processing after said request information is transmitted (column 12, lines 18-31);

the processing unit which has received the confirmation information does not communicate with said mobile body when said processing unit determines that the processing cannot be executed (column 12, lines 22-24); and

said mobile body determines that said mobile body is not provided with the requested information when said mobile body continues the transmission of the confirmation information for a predetermined period of time without receiving response (column 12, lines 30-31).

9. Regarding claim 11, Kari taught a processing unit interconnected with a plurality of identical processing units disposed by a roadside through a network, said processing units each including a radio communication unit for communicating with a mobile body to constitute a transport system for executing predetermined processing for the mobile body (column 5, lines 4-9), said processing unit comprising:

a memory for storing a program for executing a predetermined processing for the mobile body (column 5, lines 15-23);

a communication interface connected to said network for receiving location information indicative of a location at which the mobile body exists (column 5, lines 4-9); a processor connected to said communication interface and said memory through a bus, for receiving said location information from said communication interface (column 5, lines 31-33), determining whether or not said processing should be executed based on a program stored in said memory, and executing said processing based on the result of determination (column 5, lines 33-38, column 13, lines 5-25).

10. Regarding dependent claim 12, Kari taught said communication interface receives contents information indicative of contents of a request for said processing (column 5, lines 4-7, column 8, lines 20-23); and

 said processor determines whether or not said processing should be executed based on said location information (column 8, lines 56-62).

11. Regarding dependent claim 14, Kari taught said location information indicates a location at which said mobile body exists at the time said processing should be executed, said location being calculated by a processing unit other than the processing unit performing the processing (column 6, lines 15-19); and

 said communication interface further receives identification information for identifying said mobile body (column 5, lines 29-31, column 6, lines 26-29).

12. Regarding dependent claim 15, Kari taught said location information indicates a location at which said mobile body exists at the time said processing should be executed, said location being calculated by a processing unit other than the processing unit performing the processing (column 6, lines 15-19); and

said communication interface further receives time information indicative of a time at which said processing should be executed (column 11, lines 17-22).

13. Regarding dependent claim 16, Kari taught said communication interface receives said location information transmitted from said mobile body (column 7, lines 60-67, column 8, lines 1-5);

said processor compares the location indicated by said location information with a location at which said processing unit exists (column 12, lines 1-4), and determines that said processing unit should be executed when the location information indicated by said location information is within a predetermined distance from the location at which said processing unit exists (column 12, lines 11-17).

14. Regarding dependent claim 17, Kari taught said location information is of a location at a time which said processing estimates and at which said mobile body transmitting said location information exists at the time the requested processing is executed (column 6, lines 15-19).

15. Regarding dependent claim 18, Kari taught said processor determines whether at least one of straight distance between a location indicated by said location information and a location at which said processing unit exists (column 6, lines 15-19), and a distance between the location indicated by said location information and the location at which said processing unit exists, in consideration of a route on which said mobile body is moving, is within a predetermined distance (column 12, lines 11-17).

16. Regarding dependent claim 20, Kari taught said network is connected to a local server apparatus which stores information on a predetermined region (column 8, lines 29-36, 54-62);

 said processor executes processing for searching said local server apparatus for requested information through said communication interface as said predetermined processing (column 12, lines 32-36).

Claim Rejections - 35 USC § 103

17. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

18. Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koss in view of Kari.

19. Regarding dependent claim 4, Koss taught said location being calculated by a processing unit other than the processing unit performing the processing (column 3, lines 27-30).

 Koss does not specifically teach other location information. However, Kari taught location information indicates a location at which said mobile body exists at the time said processing should be executed (column 6, lines 15-19);

 said means for receiving further receives identification information for identifying the mobile body (column 5, lines 29-31, column 6, lines 26-29). It would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Kari's other location information in Koss' system for location based web-

browsing would have advantages. The motivation would have been to be able to direct the information query message to the most relevant place (Kari, column 1, lines 61-65).

20. Regarding dependent claim 5, Koss taught said location being calculated by a processing unit other than the processing unit performing the processing (column 3, lines 27-30).

Koss does not specifically teach other location information. However, location information indicates a location at which said mobile body exists at the time said processing should be executed (column 6, lines 15-19),

said means for receiving further receives time information indicative of a time at which said processing should be executed (column 11, lines 17-22). It would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Kari's other location information in Koss' system for location-based browsing would have advantages. For motivation for combination see claim 4, above.

21. Regarding dependent claim 6, Koss taught said location information is transmitted from said mobile body (column 5, lines 4-8).

Koss does not specifically teach other location information. However, Kari taught location information indicates a location at which said mobile body is moving which said location information is transmitted (column 6, lines 26-29); and

said means for determining compares the location indicated by said location information with a location at which said processing unit exists (column 12, lines 1-4), and determines that said processing should be executed when the result of calculating a distance between the locations to be compared indicated that the location indicated by

said location information is within a predetermined distance from the location at which said processing unit exists (column 12, lines 11-17). It would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Kari's other location information in Koss' system for location-based browsing would have advantages. For motivation for combination see claim 4, above.

22. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Koss in view of Guha, USPN 6,081,805 (hereafter referred to as Guha).

23. Regarding dependent claim 10, Kari taught said mobile body receives results of processing from said plurality of processing units. Kari does not specifically teach discarding results. However, Guha taught processing is executed by a plurality of processing units (column 3, lines 51-59), said method further comprising maintaining a result of the processing executed at the earliest time by one of said processing units, and discarding results of the processing executed by the rest of said processing units (column 4, lines 39-45). It would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Guha's discarding duplicate results would have had advantages. The motivation would have been to reduce the number of results returned (Guha, column 4, lines 1-4).

24. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kari in view of Koss.

25. Regarding dependent claim 13, Kari taught the location information having been transmitted through the network from a processing unit other than the processing unit performing the processing (column 13, lines 5-10). However, Kari does not specifically

teach existing location information. However, Koss taught existing location indicates a location at which said mobile body existed at the time said location information was transmitted (column 5, lines 4-6). It would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Koss' existing location information in Kari's system for location based selection of services would have advantages. The motivation would have been to provide expansion to Kari's system by providing a GPS system that does provide real-time positioning.

Response to Arguments

26. Applicant's arguments with respect to claims 1-7, 9-18, 20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

27. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Takahshi et al., USPN 6,097,313: taught an information exchange system exchanging information between a service provider along a road and for providing services to a driver; and

Titmuss et al., USPN 6,397,040 B1: taught a method for selecting information sources for users based on location information of the users obtained by tracking the users.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrice Winder whose telephone number is 703-305-3938. The examiner can normally be reached on Monday-Friday, 10:30 am-7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 703-308-3662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Patrice Winder
Primary Examiner
Art Unit 2155

plw